UNITED STATES DISTRICT COURT FILED

SOUTHERN DISTRICT OF CALIFORNIA 08 MAR 26 PM 2:17

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. RICK WILLIAMS, Defendants.	Magistrate's Case No. '08 MJ 0932 COMPLAINT FOR VIOLATION OF Title 26, U.S.C., Sections 5861(d) and 5871 - Possession of Unregistered Machinegun (Felony)

The undersigned complainant being duly sworn states:

On or about February 18, 2007, within the Southern District of California, defendant RICK WILLIAMS, did possess an unregistered machinegun, to wit, an AK-47 type, 7.62x39mm, machinegun, serial number GV4112, which had not been registered or transferred in the National Firearms Registration and Transfer Record; in violation of Title 26, United States Code, Sections 5861(d) and 5871.

And the complainant states that this complaint is based on the attached statement of probable cause, which is incorporated herein by reference.

Matthew Beals
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF MARCH 2008.

THE HONORABLE WILLIAM MCCURINE, JR.
UNITED STATES MAGISTRATE JUDGE

STATEMENT OF PROBABLE CAUSE

I, Matthew Beals, being duly sworn, hereby depose, and say:

This statement of probable cause is made in support of a criminal complaint for Rick WILLIAMS ("WILLIAMS") for violations of Title 26, United States Code, Sections 5861(d) and 5871, possession of an unregistered machinegun. This violation was committed in the Southern District of California.

During the course of my duties, I have learned the following information based upon my discussions with the named witnesses or by having read the reports of or talked with other law enforcement officers who have spoken directly with the named witnesses:

1. On or about February 18, 2007, at approximately 3:41 p.m., Imperial Police Department ("IPD") responded to a report of a domestic violence that occurred at 115 W. 7th Street in Imperial, California. The girlfriend of RICK WILLIAMS ("WILLIAMS") told IPD officers that she and Williams had an argument and that WILLIAMS threatened to kill her friends. WILLIAMS' girlfriend said that WILLIAMS had several firearms in the closet. WILLIAMS' girlfriend allowed IPD officers to enter her home and seize four firearms. WILLIAMS' girlfriend said that WILLIAMS had left the residence and went to 608 Belford Road in Imperial, California.

2. On or about February 18, 2007, IPD officers arrived at 608 Belford Road in Imperial, California and made contact with WILLIAMS. WILLIAMS denied threatening to kill his girlfriend's friends. IPD officers advised WILLIAMS that they had seized four firearms and that the firearms would be stored at the Imperial Police Department for safekeeping.

3. On January 16, 2008, IPD contacted S/A Matthew Beals with ATF and asked that he inspect the four firearms seized from WILLIAMS' residence by IPD on February 18, 2007.

4. On January 17, 2008, S/As Beals and Joe Mokos with ATF responded to IPD and reviewed the aforementioned firearms. SA Beals identified the firearms as: (1) AK-47-type, 7.62x39mm, machinegun, serial number GV4112; (2) AK-47-type, 7.62x39mm, machinegun, serial number S-AP1744; (3) Leader Dynamics, model T2 MK5, 5.56mm, rifle, serial number 001914; and (4) homemade suspected machinegun modeled after a Sten gun.

5. On January 22, 2008, S/A Beals queried the National Firearms Registration and Transfer Record. None of the aforementioned firearms were registered to WILLIAMS, nor anyone else.

6. On January 30, 2008, the aforementioned firearms were examined by ATF's Firearm Technology Branch by Firearms Enforcement Officer (FEO) A. Galbraith. FEO Galbraith determined that the two AK-47-type firearms and the homemade firearm modeled after a Sten gun were machineguns, as defined in Title 26, United States Code Section 5845.

7. On March 26, 2008, at approximately 11:00 a.m., S/A Beals, S/A Mokos, and IPD Detective R. Martinez made contact with WILLIAMS at his work. S/A Beals advised WILLIAMS of his Miranda rights. WILLIAMS signed the Miranda form acknowledging that he understood his Miranda rights, and he agreed to speak with the agents without the presence of counsel.

A. WILLIAMS freely admitted that he possessed and owned four firearms seized from his residence in February 2007, to wit: (1) AK-47-type, 7.62x39mm, machinegun, serial number GV4112; (2) AK-47-type, 7.62x39mm, machinegun, serial number S-AP1744; (3) Leader Dynamics, model T2 MK5, 5.56mm, rifle, serial number 001914; and (4) homemade suspected machinegun modeled after a Sten gun.

B. WILLIAMS freely admitted that he knew the four firearms were machineguns and that he manufactured at least one of the AK-47-type machineguns.

C. WILLIAMS freely admitted that he had previously been convicted of a misdemeanor domestic violence offense in 1994, to which he received 24 months probation.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 3/26/08

MATTHEW BEALS
Special Agent, ATF